

1 Teresa M. Corbin (SBN 132360)
 Christopher Kelley (SBN 166608)
 2 Thomas Mavrakakis (SBN 177927)
 HOWREY SIMON ARNOLD & WHITE, LLP
 3 301 Ravenswood Avenue
 Menlo Park, California 94025
 4 Telephone: (650) 463-8100
 Facsimile: (650) 463-8400

5 Attorneys for Defendants
 6 MATROX ELECTRONIC SYSTEMS LTD. and
 MATROX GRAPHICS INC.

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA
 9 SAN FRANCISCO DIVISION

10 RICOH COMPANY, LTD.,

11 Plaintiff,

12 vs.

13 AEROFLEX INCORPORATED, AMI
 SEMICONDUCTOR, INC., MATROX
 14 ELECTRONIC SYSTEMS, LTD., MATROX
 GRAPHICS INC., MATROX
 15 INTERNATIONAL CORP., and MATROX
 TECH, INC.,
 16 Defendants.
 17

) Case No. CV 03-04669 MJJ

)
) **NOTICE OF WITHDRAWAL OF MATROX**
) **ELECTRONIC SYSTEMS LTD. AND**
) **MATROX GRAPHICS INC.'S MOTION**
) **FOR SUMMARY JUDGMENT OF**
) **NONINFRINGEMENT**

) Date: March 2, 2004
) Time: 9:30 a.m.
) Ctrm: 11, 19th Floor
) Judge: Hon. Martin J. Jenkins
)
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 19 Matrox Electronic Systems, Ltd. ("Matrox Electronics") and Matrox Graphics Inc. ("Matrox
 20 Graphics") hereby notify the Court that they withdraw their motion seeking a judgment of the Court
 21 that neither party infringes claims 13 -20 of United States Patent No. 4,922,432 (the "432 Patent")
 22 under 35 U.S.C. § 271(g) filed December 2, 2003 and currently pending for hearing on March 2, 2004.

23 In light of the Court's statements at the December 9, 2003 hearing on the Defendants' Motion
 24 to Stay the present action, Matrox Electronics and Matrox Graphics provided Ricoh with discovery
 25 directed to whether Matrox Electronics's or Matrox Graphics's have any ASIC design operations in the
 26 United States, the sole factual issue presented by the summary judgment motion. This discovery
 27 included documents directed to this subject and a Rule 30(b)(6) witness to testify on this topic.
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1 However, despite their efforts to provide Ricoh Company, Ltd. ("Rico h") with discovery reasonably
2 necessary and sufficient to decide the narrow factual question presented in the motion regarding the
3 location of each company's design operations, it became apparent to Matrox Electronics a nd Matrox
4 Graphics that Ricoh would oppose the motion under Rule 56(f) regardless of the discovery that they
5 provided.

6 Instead of burdening themselves or the Court with this pointless exercise, and in light of the
7 Defendants Motion for Judgment on the Plea dings, Matrox Electronics and Matrox Graphics herby
8 withdraw their motion for summary judgment.

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10 Dated: February 10, 2004

Respectfully submitted,

11 HOWREY SIMON ARNOLD & WHITE, LLP
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13 By: /s/ Thomas Mavrakakis

14 Teresa M. Corbin
15 Attorneys for Defendants
16 MATROX ELECTRONIC SYSTEMS
17 LTD. and MATROX GRAPHICS INC.
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